

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

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JONATHAN A. WHEELER,

*Plaintiff,*

v.

JOSEPH POLITE, *et al.*,

*Defendants.*

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CIVIL ACTION NO.  
5:23-cv-00164-TES-CHW

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ORDER ADOPTING THE UNITED STATES MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

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No party objected to the United States Magistrate Judge's Report & Recommendation ("R&R") [Doc. 47] regarding Defendants' Motion to Dismiss [Doc. 35] pro se Plaintiff Jonathan A. Wheeler's Amended Complaint [Doc. 15]. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 6(a)(1) & (d). Having reviewed the R&R for clear error, the Court **ADOPTS** it [Doc. 47] and **MAKES IT THE ORDER OF THE COURT**. Accordingly, because Plaintiff failed to exhaust the available remedies, the Court **GRANTS** Defendants' Motion to Dismiss [Doc. 35] and **DISMISSES** Plaintiff's Amended Complaint [Doc. 15] **without prejudice**.

**SO ORDERED**, this 20th day of November, 2024.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE  
UNITED STATES DISTRICT COURT